

**TOWN OF PARACHUTE
ORDINANCE NO. 692-2016**

AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTIONS 6.11.120 AND 6.11.050 OF THE PARACHUTE MUNICIPAL CODE REGARDING REVIEW CRITERIA AND CO-LOCATION OF LICENSES.

WHEREAS, on June 18, 2015, the Board adopted Ordinance No. 683, which added a new Chapter 6.11 to Title 6 of the Code to govern the licensing and operation of retail marijuana cultivation facilities, testing facilities, product manufacturing facilities, and stores (“Retail Marijuana Establishment”);

WHEREAS, consistent with Article XVIII, Section 16 of the Colorado Constitution (“Amendment 64”) and Article 43.4, Title 12 of the Colorado Revised Statutes (the “Colorado Retail Marijuana Code”), Ordinance No. 683 granted the Town with as much control and authority over the operation of Retail Marijuana Establishments within the Town as is permissible under Colorado law;

WHEREAS, to approve a License, the Board, acting as the Local Licensing Authority, must find that an Application for a License meets all of the review criteria contained Section 6.11.120;

WHEREAS, to provide for a more complete review, the Board wishes to add review criteria that address impacts to neighboring properties;

WHEREAS, Section 6.11.050 places limitations on where Retail Marijuana Establishments can be located;

WHEREAS, the Board wishes to amend Section 6.11.050 to clarify the co-location of Licenses at Licensed Premises;

WHEREAS, the Board finds and determines that it is in the Town’s interest to amend Chapter 6.11 as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 6.11.120 of the Parachute Municipal Code is hereby amended as follows, with additions shown in double underlined text and ~~strike through language deleted~~:

6.11.120 Review Criteria. In order to approve a License, the Authority shall find:

- A. The Application is complete and all fees have been paid;
- B. Public notice was properly provided pursuant to the provisions of this Chapter;

- C. The Applicant is qualified under the provisions of this Chapter;
- D. The State License has been approved, conditioned on the granting of the License by the Town or has been applied for; ~~and~~
- E. The proposed Licensed Premises complies with the design and performance requirements of the Colorado Retail Marijuana Code, the Retail Marijuana Regulations, and this Chapter; and
- F. The operation of a Retail Marijuana Establishment in the location of the proposed Licensed Premises is not incompatible with the character of the immediate surrounding area and specific neighborhood.

Section 3. Section 6.11.050 of the Parachute Municipal Code is hereby amended as follows, with additions shown in double underlined text and ~~strike through language deleted~~:

6.11.050 Location Limitations of Retail Marijuana Establishments.

A. Retail marijuana cultivation facilities, retail marijuana testing facilities, retail marijuana product manufacturing facilities, and retail marijuana stores shall only be located in permitted zone districts, as set forth in the Schedule of Uses in Zone Districts contained in Section 15.03.215. Prior to receiving a License pursuant to this Chapter for a Retail Marijuana Establishment, Applicant shall be required to demonstrate or obtain approval for the proposed Licensed Premises as described in Title 15.

B. No Retail Marijuana Establishment shall be located:

1. Within five-hundred feet (500') of any existing public or private school; or
2. Within one-hundred and fifty feet (150') of another Retail Marijuana Establishment, except:
 - a. For a co-located Licensed Premises permitted by the Retail Marijuana Regulations; or
 - b. If one (1) Retail Marijuana Store, one (1) Retail Marijuana Cultivation Facility, one (1) Retail Marijuana Products Manufacturing Facility, and/or one (1) Retail Marijuana Testing Facility with distinct Licensed Premises are located on a single parcel. Under such circumstance, each License shall not be required to be held by a single Licensee.

3. The distances described in this Section shall be measured using a route for direct pedestrian access from the nearest property line of the school or other Retail Marijuana Establishment property to the nearest portion of the structure of the proposed Licensed Premises.

INTRODUCED, READ, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY by a vote of 6 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 18th day of February, 2016 and approved by the Mayor on the 18th day of February, 2016.



**BOARD OF TRUSTEES OF THE TOWN
OF PARACHUTE, COLORADO**

By: _____

Roy McClung
Roy McClung, Mayor

ATTEST:

S. Denise Chiaretta
S. Denise Chiaretta, Town Clerk

PUBLIC NOTICE

Public notice is hereby given that an Ordinance entitled:


AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, AMENDING SECTIONS 6.11.120 AND 6.11.050 OF THE PARACHUTE MUNICIPAL CODE REGARDING REVIEW CRITERIA AND CO-LOCATION OF LICENSES.

was introduced before the Board of Trustees on February 18, 2016; that a copy of said Ordinance is posted at Town Hall; and that the Ordinance was approved at a regular meeting of the Board of Trustees held on February 18, 2016, and approved by the Mayor on February 18, 2016.

Copies of the adopted ordinance are available for inspection at the Town Hall, Parachute, Colorado, and available on the Internet at <http://www.parachutecolorado.com>.

Dated this 18th day of February, 2016.

TOWN OF PARACHUTE



S. Denise Chiaretta, Town Clerk

TOWN OF PARACHUTE, COLORADO
RESOLUTION NO. 2016-07

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO, AUTHORIZING THE CONDUCT OF A MAIL BALLOT ELECTION FOR THE 2016 REGULAR MUNICIPAL ELECTION.

WHEREAS, Section 5-3 of the Town of Parachute, Colorado Home Rule Charter provides that regular municipal elections be held on the first Tuesday of April of even-numbered years;

WHEREAS, the Board of Trustees of the Town of Parachute, Colorado has determined it is in the best interests of the Town to promote voter participation and cost efficiency in the regular municipal election by conducting such election as a mail ballot election,

WHEREAS, the Board of Trustees finds the proposed mail ballot election does not involve partisan candidates, nor is the election to be held in conjunction with, or on the same day as, a primary or congressional vacancy election; and

WHEREAS, the Board of Trustees seeks to appoint the Town Clerk as the Designated Election Official for the regular mail ballot election to be held on **April 5, 2016**, to ratify actions taken by the Town Clerk to conduct the regular mail ballot election, and to comply with all applicable election procedures, including but not limited to compliance with the Town Charter, the Parachute Municipal Code, and the Colorado Municipal Election Code.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Town Clerk is hereby authorized and directed, as the Designated Election Official for the regular mail ballot election, to conduct such election under the supervision of the Colorado Secretary of State, and subject to rules promulgated by the Colorado Secretary of State, pursuant to C.R.S. §31-10-101 *et seq.* (hereinafter "Colorado Municipal Election Code").

Section 3. The Town Clerk, as the Designated Election Official for the regular mail ballot election, is further authorized and directed to take all actions necessary to conduct the regular mail ballot election pursuant to the Colorado Municipal Election Code, the Parachute Municipal Code, and the Town Charter.

Section 4. The Board of Trustees authorizes actions taken by the Town Clerk prior to the date of this resolution to conduct the mail ballot election, including preparing, distributing, and collecting nominating petitions.

Section 5. There shall be one (1) precinct for this mail ballot election. The mail ballot polling location for said precinct shall be the Parachute Town Hall, 222 Grand Valley Way, Parachute, Colorado 81635.

Section 6. Pursuant to C.R.S. § 31-10-401, the Designated Election Official is hereby delegated the authority and responsibility to appoint judges of the election. The Designated Election Official shall appoint three judges of the election at least fifteen (15) days before the election day.

Section 7. The Designated Election Official shall establish the form of the regular mail election ballot.

INTRODUCED, PASSED, ADOPTED, AND APPROVED by a vote of 6 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 18th day of February, 2016 and approved by the Mayor on the 18th day of February, 2016.



**BOARD OF TRUSTEES OF THE
TOWN OF PARACHUTE, COLORADO**

By


Roy B. McClung
Mayor

ATTEST:



S. Denise Chiaretta
Town Clerk

**TOWN OF PARACHUTE
RESOLUTION NO. 2016-08**

**RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A GRANT FROM THE
GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE REMODEL OF
THE PARACHUTE REST AREA REST ROOMS AND VISITORS CABIN**

WHEREAS, the Town of Parachute is a political subdivision of the State of Colorado, and therefore an eligible applicant for a grant awarded by the Garfield County Federal Mineral Lease District ("GCFMLD"); and

WHEREAS, the Town of Parachute has submitted a grant application for the remodel of the Parachute Rest Area Rest Rooms and Visitors Cabin requesting a total award of \$50,000; and

WHEREAS, the Town of Parachute supports the completion of the project if a grant is awarded by the GCFMLD.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The above recitals are hereby incorporated as findings by the Board of Trustees.

Section 2. The Board of Trustees strongly supports the Grant Application submitted by the Town of Parachute and will appropriate matching funds for a grant with Garfield County Federal Mineral Lease District.

Section 3. If the grant is awarded, the Board of Trustees strongly supports the completion of the project.

Section 4. The Board of Trustees of the Town of Parachute authorizes the expenditure of funds necessary to meet the terms and obligations of any grant awarded pursuant to a Grant Agreement with the GCFMLD.

Section 5. If a grant is awarded, the Board of Trustees hereby authorizes the Town Manager to sign a Grant Agreement with the GCFMLD

INTRODUCED, READ, PASSED, AND ADOPTED as provided by law, by a vote of 6 to 0 of the Board of Trustees of the Town of Parachute, Colorado, at a regular meeting held at the Town of Parachute, Colorado, on the 18th day of February 2016, and approved by the Mayor on the 18th day of February 2016.



**BOARD OF TRUSTEES OF THE
TOWN OF PARACHUTE, COLORADO**

By: Roy B. McClung
Roy B. McClung
Mayor

ATTEST:

S. Denise Chiaretta

S. Denise Chiaretta
Town Clerk

**TOWN OF PARACHUTE
RESOLUTION NO. 2016-09**

**RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A GRANT FROM THE
GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE ACQUISITION OF
OUTDOOR RECREATION EQUIPMENT**

WHEREAS, the Town of Parachute is a political subdivision of the State of Colorado, and therefore an eligible applicant for a grant awarded by the Garfield County Federal Mineral Lease District ("GCFMLD"); and

WHEREAS, the Town of Parachute has submitted a grant application for the acquisition of outdoor recreation equipment requesting a total award of \$25,000; and

WHEREAS, the Town of Parachute supports the completion of the project if a grant is awarded by the GCFMLD.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The above recitals are hereby incorporated as findings by the Board of Trustees.

Section 2. The Board of Trustees strongly supports the Grant Application submitted by the Town of Parachute and will appropriate matching funds for a grant with Garfield County Federal Mineral Lease District.

Section 3. If the grant is awarded, the Board of Trustees strongly supports the completion of the project.

Section 4. The Board of Trustees of the Town of Parachute authorizes the expenditure of funds necessary to meet the terms and obligations of any grant awarded pursuant to a Grant Agreement with the GCFMLD.

Section 5. If a grant is awarded, the Board of Trustees hereby authorizes the Town Manager to sign a Grant Agreement with the GCFMLD

INTRODUCED, READ, PASSED, AND ADOPTED as provided by law, by a vote of 6 to 0 of the Board of Trustees of the Town of Parachute, Colorado, at a regular meeting held at the Town of Parachute, Colorado, on the 18th day of February 2016, and approved by the Mayor on the 18th day of February 2016.



**BOARD OF TRUSTEES OF THE
TOWN OF PARACHUTE, COLORADO**

By: Roy B. McClung
Roy B. McClung
Mayor

ATTEST:

S. Denise Chiaretta
S. Denise Chiaretta
Town Clerk